

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

CHARLES TORNS, JR.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:10CV260TSL-MTP

STATE OF MISSISSIPPI, ET AL.

DEFENDANTS

This cause is before the court on the objection of plaintiff Charles Torns, Jr. to the magistrate judge's report and recommendation entered on August 26, 2011, which recommended that defendant Judge W. Swan Yerger be dismissed on account of judicial immunity. Having reviewed plaintiff's submission, the court now concludes that plaintiff's objection is without merit and hereby adopts, as its own opinion, the magistrate judge's report and recommendation.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Michael T. Parker entered on or about August 26, 2011, be, and the same is hereby, adopted as the finding of this court. Accordingly, Judge W. Swan Yerger is dismissed as a defendant on account of his judicial immunity.

SO ORDERED this 3rd day of October, 2011.

/s/ Tom S. Lee_____
UNITED STATES DISTRICT JUDGE